GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Department of Tribal Welfare - The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act- ASR District - Request for sanction of prosecution orders against the accused A-1 Kona Vishnuvardhana Rao, who is the Deputy Director (TW) of ITDA Paderu (Retired), involved in Cr.No. 110/2019 under section 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and section 506 of the Indian Penal Code, 1860 (IPC) (Old Act) (new act, section 351(2)/(3) Bharatiya Nyaya Sanhita, 2023) of Paderu Police Station - Sanction of Prosecution under prevention of Corruption Act, 1988 - Orders - Issued.

DEPARTMENT OF TRIBAL WELFARE

G.O.MS.No. 10 Dated: 16-06-2025

C.No.767/C-2/DCRB/2020, Dated 16.11.2020 of the Superintendent of Police, ASR District.

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ORDER:

Whereas, the Superintendent of Police, Visakhapatnam District in letter dated.16.11.2020 has submitted that on 16.09.2019 at 17.00 hrs., the complainant Sri Lake Venkata Laxmi Narayana Pathrudu, Caste by ST- Bagatha, School Assistant (Hindi), G.T.W.A.H. School (Boys), Konam Village, Cheedikada Mandal, Visakhapatnam District came to Paderu Police Station and reported that, on 19.06.2016 he attended to the transfers counselling held at ITDA counselling Centre, Paderu where about 400 – 500 hundred teachers also attended to the counselling. The complainant approached the officers to provide transfer facility to him as there was no opportunity to appeal on the injustice caused to him. On that, Sri Kona Vishnu Vardhan Rao, the then Deputy Director, Tribal Welfare, ITDA, Paderu interfered in that matter and abused the complainant in the presence of co-teachers by touching his caste that even tribes also talking on the Government Orders and also threatened him with dire consequences that he would see how the complainant would do his job. Further on 18.10.2016 A1 and A2 threatened him over phone for filing petition under RTI Act, 2005 in the same issue. Hence, he requested to take necessary action against A1 and A2.

(P.T.O)

2. And whereas, basing on the report of the complainant, case was registered vide Cr.No.110/2019 under Sections 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 506 of the Indian Penal Code, 1860 (IPC) (Old Act) (now new act, Section 351(2)/(3) Bharatiya Nyaya Sanhita, 2023) of Paderu Police Station and investigated into. During the course of investigation, Inquiry Officer (I.O) examined L.Ws.1 to 4 and recorded their detailed statements. Later I.O got recorded the statements of L.W.1 to 4 under Section 164 Cr.P.C. (Old Act) (now new act, Section 183 Bharatiya Nagarik Suraksha Sanhita, 2023) The prima facie was made out against A1 only but not against A2. As the A1 is Government servant, I.O addressed a letter to Special Public Prosecutor, SC/ST Court, Visakhapatnam to offer his opinion vide Rc.No.1209/2020/C4, Dt.06.08.2020 of the District Collector & Magistrate, Visakhapatnam. After going through the record, the Special Public Prosecutor opined that as per Section 197 Cr.P.C (Old Act) (now new Act Section 218 Bharatiya Nagarik Suraksha Sanhita, 2023) prior sanction from the Government against the accused A1 is needed to prosecute a Government servant for his criminal Act done while discharging his official duty.

3. And whereas, with regard to the above stated fact and circumstances, the Superintendent of Police, Visakhapatnam District has requested the Government to issue order under Section 197 Cr.P.C (Old Act) (now new Act, Section 218 Bharatiya Nagarik Suraksha Sanhita, 2023) to prosecute the above accused as per law.

4. And whereas, Government after carefully examining the material i.e., copies of FIR, relevant records etc., placed before the Government in respect of the aforesaid allegation and having regard to the facts and circumstances of the case consider that Sri Kona Vishnu Vardhan Rao, the then Deputy Director, Tribal Welfare, ITDA, Paderu (Now retired) should be prosecuted in a court of law for the above said offenses.

5. Now, therefore, in exercise of the powers conferred under Section 197 Cr.P.C.(Old Act) (now new Act Section 218 Bharatiya Nagarik Suraksha Sanhita, 2023) the Government hereby accorded sanction for prosecution of Sri Kona Vishnu Vardhan Rao, the then Deputy Director, Tribal Welfare, ITDA, Paderu (Now retired) for the above said offenses punishable in Cr.No.110/2019 under Section 3(1) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 & Section 506 of the Indian Penal Code, 1860 (IPC) (Old Act) (now new Act, Section 351 (2)/(3) Bharatiya Nyaya Sanhita, 2023) and for any other cognate offenses punishable under any other provisions of law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offenses by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M M NAYAK

SECRETARY TO GOVERNMENT

To
The Superintendent of Police, ASR District, Paderu.
Copy to:
The Dy. Superintendent of Police, Paderu.
The inspector of Police, Paderu PS for information
Sc/Sf

//FORWARDEED:BY ORDER//

SECTION OFFICER